

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER TISDALE,
Plaintiff,

v.

C.O. GAMBILL, *et al.*,
Defendants.

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Civil No. 2:21-cv-00745-JMG

ORDER

AND NOW, this 8th day of March, 2021, *pro se* litigant Christopher Tisdale having submitted a letter Complaint (ECF No. 1) to the Court without either paying the fees to commence a civil action or filing a motion to proceed *in forma pauperis*, **IT IS HEREBY ORDERED** that:

1. If Mr. Tisdale wishes to proceed with this action he must, within thirty (**30**) days of the date of this Order, either (1) pay \$402 (the \$350 filing fee and \$52 administrative fee) to the Clerk of Court, or (2) file a motion to proceed *in forma pauperis* with a certified copy of his prisoner account statement (or institutional equivalent) showing all deposits, withdrawals, and a current balance, from any correctional facility in which he was confined for the six-month period from August 16, 2020 to February 16, 2021, reflecting account activity from that time period.¹
2. The Clerk of Court shall mail Mr. Tisdale a blank copy of this Court's current standard prisoner *in forma pauperis* form bearing the above civil action number. Mr. Tisdale may use this

¹ The account statement Mr. Tisdale previously submitted does not reflect the entire six-month period. If Mr. Tisdale is ultimately granted leave to proceed *in forma pauperis*, he will be obligated to pay the \$350 filing fee in installments pursuant to 28 U.S.C. § 1915(b), even if his case is dismissed. He will not be entitled to the return of any payments made toward the fee.

form to seek leave to proceed *in forma pauperis* if he cannot afford to pay the fees to commence this case. This form is also available on the Court's website at <https://www.paed.uscourts.gov/documents/forms/ifpsfrm.pdf>.

3. The letter Complaint is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915A and Federal Rule of Civil Procedure 8.

4. If Mr. Tisdale seeks to proceed by way of a civil rights complaint in this Court, he must, within thirty (**30**) days of the date of this Order, file an amended complaint. Any amended complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint. Additionally, the amended complaint shall state the basis for Mr. Tisdale's claims against each defendant. The amended complaint shall be a complete document that does not rely on the initial letter Complaint or other papers filed in this case to state a claim. When drafting his amended complaint, Mr. Tisdale should be mindful of the Court's reasons for dismissing his initial letter Complaint as explained in this Order and the accompanying Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

5. The Clerk of Court shall also mail Mr. Tisdale a blank copy of the Court's form complaint for a prisoner filing a civil rights action bearing the above civil action number, which he may use to file an amended complaint that complies with Federal Rules of Civil Procedure 8 and 10 by clearly setting out the names of the parties in the caption. This form is also available on the Court's website at <https://www.paed.uscourts.gov/documents/forms/frmc1983f.pdf>.

6. If Mr. Tisdale fails to comply with this Order, his case may be dismissed without further notice.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge